

Paper No.:___

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Inventor(s): FITZPATRICK, Glen Arthur; GELBART, Daniel

Title: HIGH FREQUENCY DEFORMABLE MIRROR DEVICE

Serial No.: 10/689719

Filed: 22 October 2003 Date: 20 February 2004

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Disclosure Statement Pursuant to 37 C.F.R. §1.56

Transmitted herewith is an Information Disclosure Statement disclosing information which has come to the attention of applicant(s) and/or their agents and is being submitted in compliance with the duty of disclosure set forth in 37 C.F.R. §1.56.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

In accordance with 37 C.F.R. §1.98, transmitted herewith are:

1. A completed copy of Form PTO/SB/08 "Information Disclosure Statement by Applicant" listing the patents, publications and other information being submitted for consideration; and

2. A legible copy of each patent, publication and other item of information in written form listed on the enclosed Form PTO/SB/08, except for copies of U.S. patents and published U.S. patent applications which are not required for applications filed after 30 June 2003.

As this application was filed after 30 June 2003, copies of the U.S. patents and published U.S. patent applications listed on the enclosed Form PTO/SB/08 are not required and, therefore, not included herewith.

Respectfully submitted,

By:

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Vancouver, B.C. CANADA





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LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT [PTO-SB/08]

United States Patent Documents

| Examiner Initials | Document Number Number-Kind Code | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Figures Appear |
|----------------------|-----------------------------------|-----------|--------------------------------|---|--|
| | US- | 6,307,663 | 10-23-2001 | Kowarz | 0.11gured 1.ppe |
| | US- | 6,445,502 | 09-3-2002 | Islam et al. | |

| Examiner: | |
|------------------|--|
| Date Considered: | |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.